

**LABEL, IN PART:** (Gallon bottle) "Syno." Some of the small bottles were unlabeled; others were labeled in part: (carton) "Syno Contains: Olive Oil, Camphor Monoethylene, Camphor Dicarbontrichloride, Palmotolic Acid, Chloroform 6% and Alcohol 5% \* \* \* For Painful Sinusitis."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), the name "Syno" appearing on the label was false and misleading since the name suggested and implied that the article was effective in the treatment of sinusitis; Sections 502 (b) (1) and (2), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (2), the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient and the quantity or proportion of chloroform contained in the article; and, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use. The article was misbranded in the above respects when introduced into, and while in, interstate commerce.

Further misbranding, Section 502 (a), the statement "Contains \* \* \* Chloroform 6% appearing on the label of the article, which had been repacked into small bottles, was false and misleading since the article contained more than 6 percent of chloroform; the statement "Contains \* \* \* Camphor Monoethylene, Camphor Dicarbontrichloride" appearing on the carton and bottle labels of the repacked article was false and misleading since the article did not contain such ingredients; and certain statements in the labeling of the repacked article were false and misleading since the statements represented and suggested that the article was adequate and effective in the treatment of sinusitis, whereas the article was not adequate and effective in the treatment of sinusitis. The repacked article was misbranded in the above respects while held for sale after shipment in interstate commerce.

**DISPOSITION:** June 29, 1950. Default decree of condemnation and destruction

**3227. Misbranding of hair conditioner. U. S. v. 283 Jars, etc. (F. D. C. No. 29041. Sample No. 1745-K.)**

**LABEL FILED:** On or about April 13, 1950, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about February 10 and 17, 1950, by Argyle Laboratories, Inc., from New York, N. Y.

**PRODUCT:** Hair conditioner. 283 16-ounce jars and 301 8-ounce jars at St. Petersburg, Fla., in possession of Miss Peggy Rohrer, trading as the Tru-Lan Co.

**RESULTS OF INVESTIGATION:** The product was shipped unlabeled. After its receipt, the consignee, Miss Peggy Rohrer, caused to be affixed to some of the jars a label reading, in part: "Tru-Lan Hair Conditioner With Lanolin." No labeling agreement existed between the shipper and the consignee.

Examination showed that the product consisted essentially of petrolatum, lanolin, water, and perfume.

**NATURE OF CHARGE:** Misbranding (unlabeled bottles), Sections 502 (b) (1) and (2), the product failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and an accurate statement of the quantity of the contents; Section 502 (e) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient; and, Section 502 (f) (1), its labeling failed

to bear adequate directions for use. The product was misbranded in the above respects when introduced into, and while in, interstate commerce.

Misbranding (labeled bottles), Section 502 (a), the statement which appeared on the label "To Help Relieve: Excessive Falling Hair . . . Itching Scalp \* \* \* Various Scalp Ills" was false and misleading since the product was not an effective treatment for such conditions.

Further misbranding, Section 502 (a), the label statement "With Lanolin" was misleading since the product also contained petrolatum; and, Section 502 (e) (2), the product was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each active ingredient. The product was misbranded in the latter respects while held for sale after shipment in interstate commerce.

**DISPOSITION:** May 16, 1950. Default decree of condemnation and destruction.

**3228. Misbranding of X-ray machine. U. S. v. 1 X-ray Machine, etc.**  
(F. D. C. No. 25820. Sample No. 3145-K.)

**LIBEL FILED:** October 12, 1948, District of Maryland.

**ALLEGED SHIPMENT:** On or about May 14 and June 17, 1947, by the Westinghouse Electric Corp., from Omaha, Nebr.

**PRODUCT:** 1 X-ray machine with accessories at Baltimore, Md.

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the device failed to bear adequate directions for use in that the labeling failed to state the conditions for which it was to be used.

**DISPOSITION:** April 25, 1949. Virginia Laboratories, Inc., Baltimore, Md., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the device be delivered to the claimant, under bond, to be sold or disposed of for uses which conform with the requirements of the law, under the supervision of the Food and Drug Administration. On June 30, 1950, the device was sold to a physician specializing in dermatology, for use in his practice.

#### DRUG FOR VETERINARY USE

**3229. Misbranding of phenothiazine drench. U. S. v. 1 Drum \* \* \*.**  
(F. D. C. No. 29489. Sample No. 69913-K.)

**LIBEL FILED:** July 14, 1950, District of Kansas.

**ALLEGED SHIPMENT:** On or about February 16, 1950, by the Pearson-Ferguson Chemical Co., from Kansas City, Mo.

**PRODUCT:** 1 150-pound drum of *phenothiazine drench* at Lyndon, Kans. Examination showed that the product was powdered phenothiazine.

**NATURE OF CHARGE:** Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use since no directions for use appeared therein; and, Section 502 (f) (2), the labeling failed to warn against use of the article in the treatment of sick, feverish, or physically weak animals, especially horses, since such animals should not be treated with the article except on the advice of a veterinarian.

**DISPOSITION:** September 26, 1950. Default decree of condemnation and destruction.